IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 986 OF 2006

Rehmatulla @ Papa S. Ali Shaikh ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Ganesh Gole ,for the applicant.
Mr. D.S. Mhaispurkar, Additional Public Prosecutor, for the State

CORAM: **KSHITIJ R. VYAS, C.J.**
DATE: **APRIL 07, 2006**.

P.C.

This is a successive bail application filed by the applicant. This Court in earlier bail application viz. Criminal Application No. 2172 of 2004, on 13th July, 2005, after hearing the learned Advocates on merits rejected the bail application preferred by the applicant. The learned counsel for the applicant states that when the said application was decided, the Ballistics Report was not available. In his submission, since the Ballistics Report now is available, the involvement of the applicant in the commission of offence has become doubtful especially when recovery of revolver has not been made at the instance of the applicant. In my opinion, these submissions can be appreciated at the time of trial after recording of evidence. It is submitted by the learned Additional Public Prosecutor that the trial against the applicant

is fixed on 22nd May, 2006 and the summons have already been issued to the witnesses in that behalf. This is also an additional ground to reject the application. The application is accordingly rejected.

CHIEF JUSTICE